

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

JESSIE A. WYERS,

Plaintiff,

Case No.: 23-11717

Hon. Jonathan J.C. Grey

vs.

STARBUCKS COFFEE COMPANY,
a foreign profit corporation,

Defendant.

EXHIBIT 4

UNITED STATES DISTRICT COURT
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Plaintiff,

Case No.: 23-11717

Hon. Jonathan J.C. Grey

vs.

STARBUCKS COFFEE COMPANY,
a foreign profit corporation,

Defendant.

CERTIFICATION OF TELECONFERENCE
WITH DORA BRANTLEY ON NOVEMBER 6, 2023 REGARDING
PLAINTIFF'S MOTION TO COMPEL DISCOVERY

NOW COMES Stuart M. Feldheim, co-counsel for Plaintiff, JESSIE A. WYERS, and provides the following certification of teleconference with defense counsel pursuant to E.D. Mich. LR 37.1 stating as follows:

1. Christopher Baratta and Stuart Feldheim are co-counsel for Plaintiff, Jessie A. Wyers in the case of *Wyers v Starbucks Coffee Company*. Dora Brantley is defense counsel for Starbucks Coffee Company. This certification is prepared in conjunction with Plaintiff's Motion to Compel Answers to Plaintiff's Interrogatories and Request to Produce Pursuant to Fed.R.Civ.P. 7.1, 37.1 and 37.2.

2. On November 6, 2023 at 10:45 a.m., Plaintiff's counsel, Stuart Feldheim, had a teleconference with Ms. Brantley regarding Plaintiff's Motion to compel discovery responses. In that telephone conversation, Ms. Brantley informed

counsel that defendant Starbucks has provided her with a copy of the store video relevant to Plaintiff's personal injury claim. She further indicated that defendant Starbucks has not yet provided written answers to Interrogatories nor documents requested for production. Ms. Brantley indicated that she is unable to provide a timeframe within which she can represent that the requested Interrogatory answers and requested documents will be provided.

3. Counsel does not believe that Ms. Brantley is acting in bad faith. Rather, counsel believes that defendant Starbucks is being recalcitrant in complying with the Federal and Local Discovery rules necessitating the filing of the instant motion.

4. At this juncture, counsel for Plaintiff are not requesting attorney's fees and costs for the necessity of their discovery motion hoping that the filing of the motion will, itself, bring about a response to Plaintiff's discovery requests. Clearly, this discovery motion was necessitated by defendant's failure to provide timely discovery responses.

/s/ Stuart M. Feldheim
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Dated: November 6, 2023